GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department – Allegation of creating dispute in payment of bills in Grama Panchayat of Vithalapuram village, Thaluru Mandal, Prakasam District in between two writ petitioners, resulting legal complications and filing Contempt Cases - Common disciplinary proceedings and charges framed against Sri M.Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram), Prakasam District under Rule 20 of APCS (CC&A) Rules, 1991 - Charge proved in inquiry reports dt:28.12.2022 & 03.01.2023 – Representation received- Imposition of punishment of stoppage of two (2) annual grade increments without cumulative effect under Rule 9 (iv) of APCS (CC&A) Rules, 1991– Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.467 **Dated:09.08.2023.**

Read the following :

1).G.O.Rt.No. 411, PR&RD (Vig. II) Department, Dated: 28.04.2022.
2).G.O.Rt.No. 413, PR&RD (Vig. II) Department, Dated: 28.04.2022.
3).From Sri M. Rajesh Babu, the then MPDO (Special Officer), Thaluru Mandal, Prakasam District, Written Statement of Defence dt:20.09.2022.
4).G.O.Rt.No. 874, PR&RD (Vig. II) Department, Dated: 28.10.2022.
5).From Superintending Engineer, PR Circle, Ongole, Prakasam District and Inquiry Authority, Letter.No.A3/Estt/AE/AEEs /2010, Dated: 28.12.2022 & 03.01.2023.
6).Govt. Memo.No.1709178/Vig.II/2022-5, PR&RD (Vig.II) Dept., Dated:02.02.2023.
7).Representation dt:03.03.2023 of Sri M.Rajesh Babu, the then MPDO (Special Officer), Thaluru Mandal, Prakasam District

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ORDER

Based on the allegation of creating dispute in payment of bills in Grama Panchayat of Vithalapuram village, Thaluru Mandal, Prakasam District in between two Writ Petitioners, resulting legal complications and filing Contempt Case No.1006/2022 and for non-implementation of the Hon'ble High Court Orders in WP No.25273/2021 filed by the Petitioner, Government have initiated common disciplinary proceedings under Rule 24 of APCS (CC&A) Rules, 1991, duly framing following

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article of charge under Rule 20 of said Rules against Sri M.Rajesh Babu, the then Mandal Parishad Development Officer, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram), Prakasam District, vide references 1st and 2nd read above, with a direction to submit his written statement of defence:

Charge:

That Sri M.Rajesh Babu, the then MPDO (Special Officer), Thaluru Mandal, Prakasam District, presently working at Karamchedu Mandal, Praksam District, has created dispute in Payment of bills in Grama Panchayat of Vithalapuram village, Thaluru Mandal, Prakasam District in between two writ petitioners, resulting legal complication and filing Contempt Case No.1006/2022 for non-implementation of the Hon'ble High Court Orders in WP Nos.25273/2021 and issued notice in Form-1 to the Respondents.

Thus, Sri M.Rajesh Babu, the then MPDO (Special Officer), Thaluru Mandal, Prakasam District, presently working at Karamchedu Mandal, Praksam District, showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (CC&A) Rules, 1964.

2. In the reference 3th read above, the charged officer Sri M.Rajesh Babu, the then MPDO (Special Officer), Thaluru Mandal, Prakasam District, has submitted the written statement of defence dt:20.09.2022.

3. Government have not satisfied with the written statement defence submitted by charged officer and decided to conduct a regular inquiry against the charged officer Sri M. Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram) and also against co-charged officer Sri Ravuri Venkata Subbaiah, the then AE (PR), Thaluru Mandal into the matter. Accordingly, in the reference 4th read above, Government have appointed the Superintending Engineer, PR Circle, Ongole, Prakasam District as the Inquiring Authority under Rule 20 (2) of A.P.C.S (CC&A) Rules, 1991, to conduct inquiry into the charges framed against the two charged officers in the matter.

4. In the reference 5th read above, Superintending Engineer, PR Circle, Ongole, Prakasam District & Inquiring Authority, has submitted inquiry report dt:28.12.2022 and further report dt:03.01.2023, wherein the Inquiry Authority, among others, has held that the material supplied authentication letter dt:27.12.2018 issued by charged officer-2 Sri M. Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, GP, Vitalapuram) in favour of Sri Kota Nagarjuna Reddy, is found to be vague without clarity and doubtful as the work

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allotment letters given to Sri Sk. Kalasha Vali and Sri Manam Ramesh Babu are found neither cancelled nor any communication sent to them, which is arbitrary. The Inquiry Authority has held that the Special Officer misused his official position and issued impugned letters dt:05.11.2018, 10.09.2018 and 27.12.2018 giving scope of controversy and conflict leading to legal complications between two Writ Petitioners besides putting Government to embarrassment in Court of Law. Accordingly, the Inquiry Authority has held that charge is held proved against the Charged Officer Sri M.Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram), Prakasam District

5. In the reference 6th read above, Government, among others, have communicated a copy of the inquiry report to the charged officer Sri M. Rajesh Babu, the then MPDO, Thalluru Mandal (Special Officer, Gram Panchayat, Vitalapuram), Prakasam District, as per Rule 21 (2) of A.P.C.S (CC&A) Rules, 1991, for his representation, if any on the findings of the inquiry report

6. In the reference 7th read above, the charged officer Sri M.Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, G.P, Vitalapuram), Prakasam District, has submitted his representation dt:03.03.2023 stating that he has not remembered about the material supplied letter dt:27.12.2018 said to be issued by him because on the said letter, the stamp of special officer and signature of lower officials found. He has not permitted Sri K. Nagarajuna Reddy to do the work in the matter and stated that he has not misused his official position and given only permission to execute the works in his letters dt:10.09.2018 & 5.11.2018 and there is no controversy therein. After his relief from the post of MPDO and Special Officer, he is not responsible for other issues and requested the Government to exonerate him from the charges against him.

7. Government have examined the matter with reference to material made available and observed that the charged officer Sri M. Rajesh Babu, the then MPDO, Thaluru Mandal and Special Officer, Vithalapuram Gram Panchayat, had issued three (3) impugned Letters dt:05.11.2018; 10.09.2018 and 27.12.2018. The Inquiry Authority in the inquiry report has held that the authentication letter dt:27.12.2018 given to Sri Kota Nagarjuna Reddy issued by charged officer is found to be vague without clarity and doubtful as the work allotment letters given to Sri Sk. Kalasha Vali and Sri Manam Ramesh Babu are found neither cancelled nor any communication sent to them, which is arbitrary, giving scope of controversy and conflict leading to legal complications between two Writ Petitioners besides putting Government in a embarrassment situation in a court of law. Accordingly, the Inquiry Authority has held that charge is held proved against the charged officer. The contention of the charged officer that

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he is not remembered about the material supplied letter dt: 27.12.2018 issued in favour of Sri K. Nagarjuna Reddy as the stamp and signature of lower officials not found, is not tenable, since the same signature resemble at other permission letters of the charged officer. As such, his contention that there is no stamp and other lower initials on the above said letter is not tenable. He is not absolved form the charge.

8. Government after examination of the matter, have taken a decision to impose punishment of withholding of two (2) Annual Grade Increments without cumulative effect against the charged officer Sri M.Rajesh Babu, the then Mandal Parishad Development Officer, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram) Prakasam District, since charge is held proved against him.

9. Accordingly, Government hereby impose the punishment of withholding of two (2) annual grade increments without cumulative effect against Sri M.Rajesh Babu, the then Mandal Parishad Development Officer, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram) Prakasam District, under Rule 9 (iv) of APCS (CC&A) Rules, 1991 in the matter.

10. The Commissioner, Panchayat Raj and Rural Development, A.P., Tadepalli, Guntur District is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj and Rural Development, AP,
Tadepalli, Guntur District.

Sri M.Rajesh Babu, the then MPDO, Thaluru Mandal (Special Officer, Gram Panchayat, Vitalapuram), Prakasam District
through the Commissioner, Panchayat Raj and Rural Development, A.P, Tadepalli, Guntur District (with a request to serve the order on the individual and furnished served copy)

The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada .

Copy to:
The PR&RD (Estt. V) Department.
OSD to the Hon'ble Dy.C.M for PR&RD.,
PS to Spl.CS to Govt, PR&RD. Dept.,
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER